

BARRY R. FEERST & ASSOCIATES (BRF-3836)
Attorney for Plaintiff
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AUDREY BRETILLOT,

Plaintiff,

DECLARATION IN OPPOSITION

-against-

CLIVE BURROW, URBAN CART,
LINDSAY PERTH, LANDSKAPP,
IAN DEWSBERY, LOVELL JOHNS,
RICK TARDIFF, CONRAD AYOTTE,
J.S. McCARTHY PRINTERS,
MITCHELL NEWMAN, JIM BERRY,
MITCHELL'S NY DATA MOVERS,

14cv7633

Defendants.

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BARRY R. FEERST, declares the following pursuant to 28 U.S.C. § 1746:

1. I am an attorney for the plaintiff in the above-entitled action and I submit this declaration in opposition to defendants Clive Burrow and Urban Cart's motion seeking consolidation.
2. Attached as Exhibit "1." is a copy of plaintiff Audrey Bretillot's Amended Complaint pursuant to FRCP 15, which supersedes the original complaint that formed the basis for defendants' motion.
3. Accordingly, to the extent that defendant's motion which seeks to consolidate the action of Urban Cart Inc., et ano v. Bretillot, et al., pending in the Southern District of New York, bearing index number 14cv7599(RWS) with this action based on the

original complaint, the instant motion has been rendered ineffectual.

WHEREFORE, it is requested that defendants' motion be denied.

_____/s/_____
BARRY R. FEERST (BRF 3836)

Dated: Brooklyn, New York
November 13, 2014